

DOCKET NO.: 312654US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Etsuro OGATA, et al.

PATENT NO.: 7,655,227

GROUP: 1644

ISSUED: February 2, 2010

EXAMINER: HUYNH, PHUONG N.

FOR: AGENTS FOR AMELIORATING LOW VASOPRESSIN LEVEL

SECOND REQUEST FOR CERTIFICATE OF CORRECTION

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
ALEXANDRIA, VA 22313-1450

SIR:

The following is a Request for Certificate of Correction in Serial Number 10/019,501, now U.S. Patent Number 7,655,227.

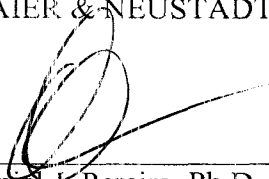
Applicants respectfully request reconsideration of the decision denying the request for Certificate of Correction filed March 3, 2010. See the USPTO Communication dated May 10, 2010. Applicants properly and timely claimed priority to Japanese application 11-189322 as it was indicated on the Declaration/Power attorney as filed, a copy is enclosed, and that a certified copy was submitted in PCT application PCT/JP00/04413, of which the present patent is a 371 application thereof.

In accordance with the provisions of Rule 322 of the Rules of Practice, which implement 35 USC 254, the U.S. Patent and Trademark Office is respectfully requested to issue a Certificate of Correction in the above-identified patent.

In light of the fact that the errors were the fault of the U.S. Patent and Trademark Office, no fees are required. The requested corrections are listed on FORM P.T.O. 1050.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Daniel J. Pereira, Ph.D.
Registration No. 45,518

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,655,227
DATED: February 2, 2010
INVENTOR(S): Etsuro OGATA, et al.

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

-- (30)

Foreign Application Priority Data

July 2, 1999 (JP).....11/189322 --

Mailing address of sender:

OBLON, SPIVAK MCCLELLAND,
MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)

Patent No. 7,655,227

No. of add'l copies
@ .30 per page



Page 1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Date Mailed : 05/10/10

Patent No. : 7655227 B1
Patent Issued : 02/02/10
Docket No. : 312654US0 PCT

RECEIVED: 5/11/10
OBLON, SPIVAK
DOCKETING DEPT
Initials/Date Docketed: 6/15/10
Type of Resp(s):
Due Date(s):

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322.

Respecting the alleged errors in the documents filed on 03/03/10; please see attachments.
"Therefore, no correction(s) is in order here under United States Codes (U.S.C.) 254 and the Code of Federal Regulation (C.F.R.) 1322."

In view of the foregoing, your request in this matter is hereby denied.

Lamonte M. Newsome
For Mary Diggs, Supervisor
Decisions & Certificates
Of Correction Branch
(703) 305-8309 or (703) 756-1574

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

LMN

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

DATE : 03/15/10

Paper No.: _____

TO SPE OF : ART UNIT 1644

SUBJECT : Request for Certificate of Correction for Appl. No.: 10019501 Patent No.: 7655227

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

Certificates of Correction Branch (C of C)
Randolph Square 9D40-D
Palm Location 7580

You can fax the Director's SPE response to 571-270-9990

Lamonte Newsome

Certificates of Correction Branch

703-756-1574

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

☐ **Approved**

All changes apply.

☐ **Approved in Part**

Specify below which changes **do not** apply.

☒ **Denied**

State the reasons for denial below.

Comments: _____ Applicants failed to submit foreign document JAPAN 11/189322 as acknowledged in FOAM

mailed 2/5/08. _____

RAM R. SHUKLA, PH.D.
SUPERVISORY PATENT EXAMINER

SPE 1644

Attorney's Docket No.: _____

DECLARATION, POWER OF ATTORNEY AND PETITION

I (We), the undersigned inventor(s), hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I (We) believe that I am (we are) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Agent for ameliorating low vasopressin level

the specification of which

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____

☒ was filed as PCT international application

Number PCT/JP00/04413

on July 3, 2000

and was amended under PCT Article 19

on _____ (if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I (We) do not know and do not believe that this invention was ever known or used before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that this invention or discovery has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months before this application.

COPY

I (We) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I (We) hereby claim foreign priority benefits under Section 119(a)-(d) of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing date	Priority claimed	
<u>189322/1999</u>	<u>Japan</u>	<u>July 2, 1999</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Section 119(e) of Title 35 United States Code, of any United States application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I (We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I (We) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (pending, patented, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____

And I (We) hereby appoint: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852

I (We) hereby request that all correspondence regarding this application be sent to the firm of FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. whose Post office address is: 1300 I Street, N.W., WASHINGTON, D.C. 20005 U.S.A.

I (We) declare further that all statements made herein of my (our) knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Etsuro OGATA
NAME OF FIRST SOLE INVENTOR

Residence: Tokyo, Japan

Etsuro Ogata
Signature of Inventor

Citizen of: Japan

Post Office Address: _____

December 21, 2001
Date

30-23, Okamoto 1-chome,

Setagaya-ku, Tokyo 157-0076 Japan

JPX

→

2-00
Etsuro ONUMA

NAME OF SECOND INVENTOR

Residence: Shizuoka, Japan

JPX

Etsuro Onuma

Signature of Inventor

Citizen of: Japan

Post Office Address: _____

c/o Chugai Seiyaku Kabushiki Kaisha,135, Komakado 1-chome, Gotenba-shi,Shizuoka 412-8513 Japan

December 21, 2001

Date

10015501
4-00
Toshiaki TSUNENARI

NAME OF THIRD JOINT INVENTOR

Residence: Shizuoka, Japan

JPX

Toshiaki Tsunenari

Signature of Inventor

Citizen of: Japan

Post Office Address: _____

c/o Chugai Seiyaku Kabushiki Kaisha,135, Komakado 1-chome, Gotenba-shi,Shizuoka 412-8513 Japan

December 21, 2001

Date

4-00
Hidemi SAITO

NAME OF FOURTH JOINT INVENTOR

Residence: Shizuoka, Japan

JPX

Hidemi Saito

Signature of Inventor

Citizen of: Japan

Post Office Address: _____

c/o Chugai Seiyaku Kabushiki Kaisha,135, Komakado 1-chome, Gotenba-shi,Shizuoka 412-8513 Japan

December 21, 2001

Date

5-00
Yumiko AZUMA
 NAME OF FIFTH JOINT INVENTOR

Yumiko Azuma
 Signature of Inventor

December 21, 2001
 Date

Residence: Shizuoka, Japan

Citizen of: Japan JFX

Post Office Address: _____
c/o Chugai Seiyaku Kabushiki Kaisha,
135, Komakado 1-chome, Gotenba-shi,
Shizuoka 412-8513 Japan

NAME OF SIXTH JOINT INVENTOR

Signature of Inventor

Date

Residence: _____

Citizen of: _____

Post Office Address: _____

NAME OF SEVENTH JOINT INVENTOR

Signature of Inventor

Date

Residence: _____

Citizen of: _____

Post Office Address: _____

10019501 12301